

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Miscellaneous #00009

DATE: June 10, 2002

PROPOSAL: To grant a time extension until October 7, 2005 for the installation of sidewalks and street trees on Lot 2, Union Pacific 3rd Addition.

LAND AREA: 1.95 acres, more or less

CONCLUSION: The Subdivision Ordinance requires both sidewalks and street trees as minimum improvements. The industrial/warehouse use to the north and east neither attract nor generate significant pedestrian traffic, so the poor pedestrian connections in this area are acceptable in the interim, provided that the applicant provides sureties to guarantee the improvements at current costs. Another 18 month delay on this application is not acceptable.

RECOMMENDATION:

If Sureties have been submitted: Approval

If sureties have not been submitted: Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Union Pacific 3rd Addition, located in the SW 1/4 of Section 10, T10N, R6E of the 6th P.M., Lincoln, Lancaster County, Nebraska.

LOCATION: NW 12th Street and W. Commerce Way

APPLICANT: John Watson - Century Sales & Management Company
1919 S. 40th Street - Suite 206
Lincoln, NE 68506
(402) 437-8325

EXISTING ZONING: H-3 Highway Commercial

EXISTING LAND USE: vacant

SURROUNDING LAND USE AND ZONING:

North:	I-2	commercial/industrial
South:	H-3	motel
East:	I-2	commercial/industrial
West:	H-3	motel

HISTORY:	May 13, 2002	After several communications with City staff, the applicant submitted a request to extend the deferral until 2005.
	Nov. 4, 2000	Planning Commission voted 7-0 to recommend conditional approval to the time extension. Prior to scheduling on City Council's agenda, the applicant was required to submit revised sureties at current costs to guarantee the installation of sidewalks and street trees. Acceptable sureties were never submitted.
	October 7, 2000	The date by which sidewalks and street trees were originally to be installed.
	Sept. 25, 2000	The applicant submitted a request to extend the required completion of street trees and sidewalks from October 7, 2000 to October 7, 2002.
	October 7, 1996	The Planning Director approved the Union Pacific 3 rd Addition Administrative Final Plat.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan states:

General Principles for All Commercial & Industrial Uses

Commercial and industrial districts in Lancaster County shall be...
- accessible by various modes of transportation (p F 40)

TRAFFIC ANALYSIS: The property is located on the rounded corner of W. Bond Street and W. Commerce Way. Both are local commercial streets.

ANALYSIS:

1. The applicant indicates the following reasons for this request:
 - a) He is not prepared to begin construction of the property and is presently offering the property for sale.
 - b) Construction on the property will likely require some grade changes on portions of the lot and general construction and grading will damage or destroy much of any sidewalk and/or trees.
 - c) Trucks in the area sometimes jump the curb as they maneuver and back into drives north and east of the property. When the property is developed, he hopes that drives may be better arranged to accommodate the trucks.

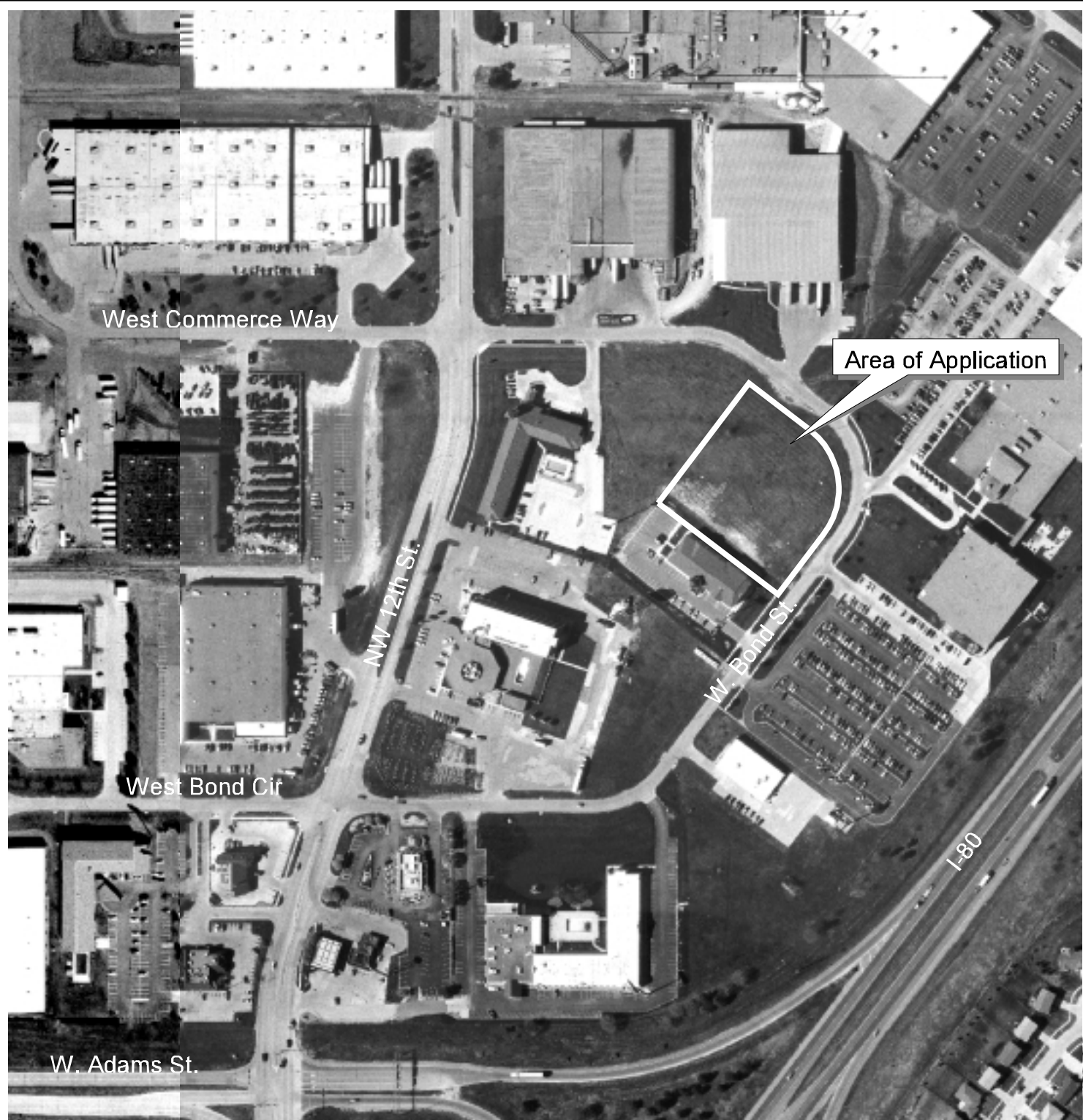
2. The industrial/warehouse properties to the north and east neither attract nor generate significant pedestrian traffic.
3. Per the 2025 Comprehensive Plan, this property should be accessible by various modes of transportation. If the property is still vacant in 2005, sidewalks and street trees should be installed.
4. Sureties were provided to guarantee improvements for this Addition in 1996. Per §26.11.039(d), the amount of sureties may be increased or decreased according to current conditions.
5. The applicant must provide surety amounts which reflect current costs. According to Public Works & Utilities and the Parks & Recreation Department, the following surety amounts are required for this lot:

Sidewalks: \$6,500
Street Trees: \$2,420
6. The sureties should be provided prior to Planning Commission action, so that the application may proceed directly to City Council. As noted in the History, this request was never scheduled at City Council because the Planning Commission conditions of approval have not been met. Another 18 month delay is not acceptable.
7. Neither the sidewalk division of Public Works & Utilities nor the Parks & Recreation department objects to the extension of time.
8. Approval of this application grants a time extension to October 7, 2005 for the installation of sidewalks and street trees on Lot 2, Union Pacific 3rd Addition.

Prepared by:

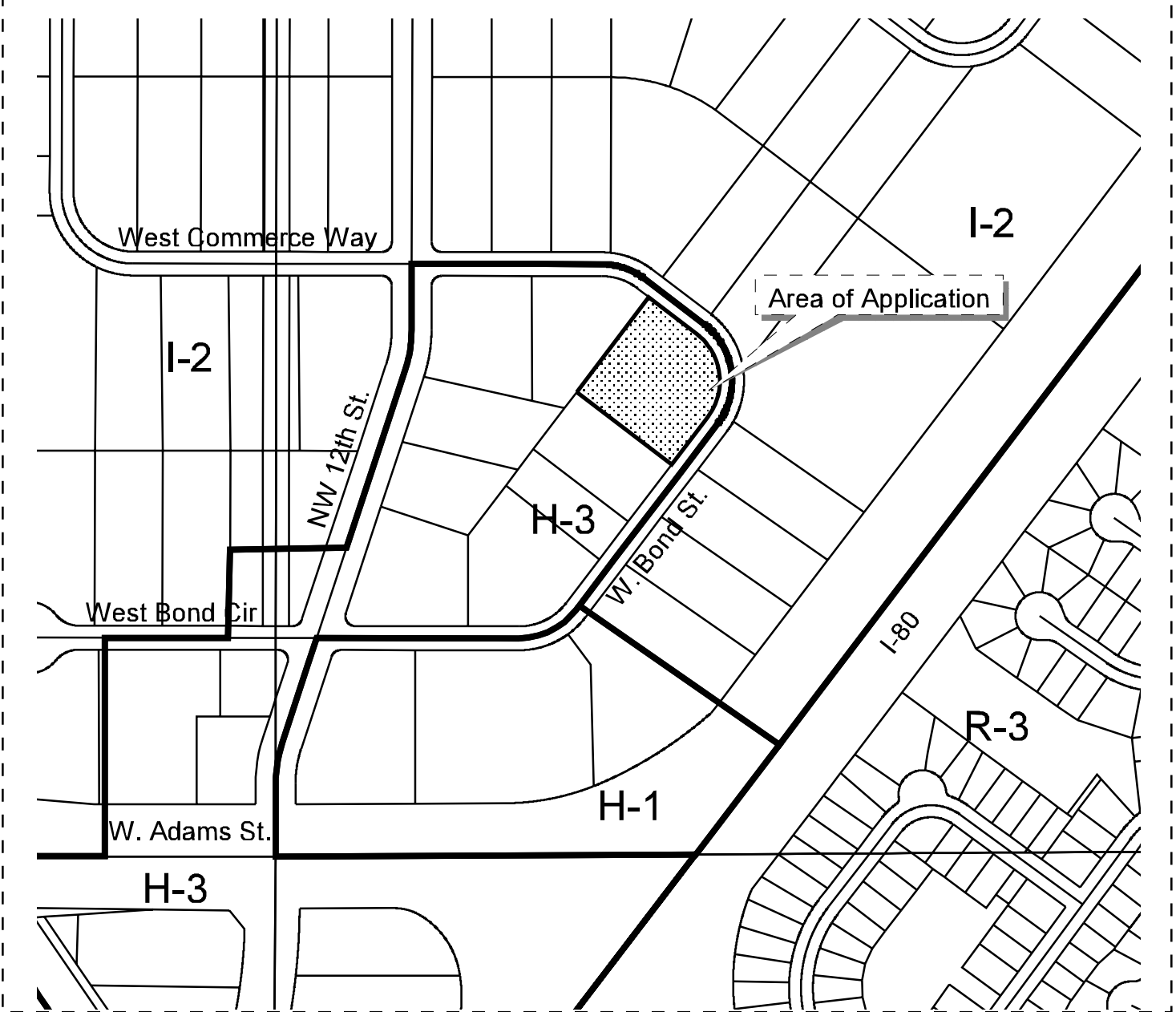
Jason Reynolds
Planner

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Miscellaneous #00009
NW 12th & W. Commerce Way



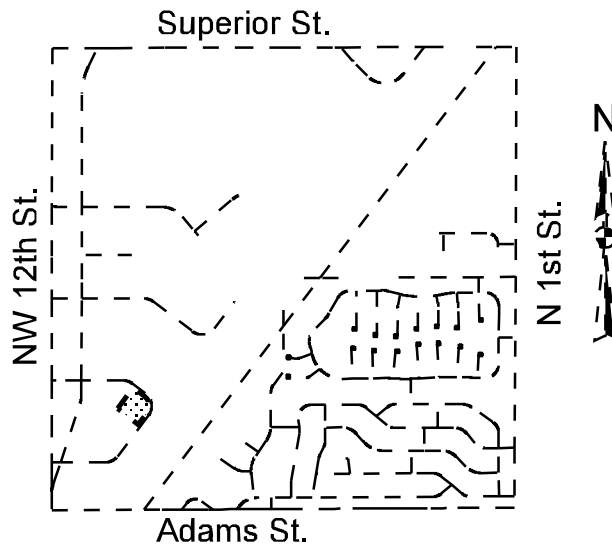
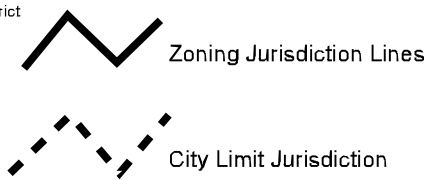


Miscellaneous #00009
NW 12th & W. Commerce Way

Zoning:

- | | |
|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
 Sec. 10 T10N R6E





"Mark E. Canney"
<mcanney@ci.lincoln.
ne.us>

To: JReynolds@ci.lincoln.ne.us

cc:

cc:

Subject: Re: Miscellaneous No. 00009

06/11/2002 07:58

AM

Jason,

Parks and Recreation recommends extending the delay of tree installation until the building is constructed on the property.

Please let me know if you need any additional information.

Thanks.

Mark Canney
Parks & Recreation




Harry B Kroos

To: Jason W Reynolds/Notes@Notes

cc:

06/11/2002 08:59 AM

Subject: Re: Misc. 00009 

Jason,

I do not have an objection to extending the sidewalk completion date.

Thanks,

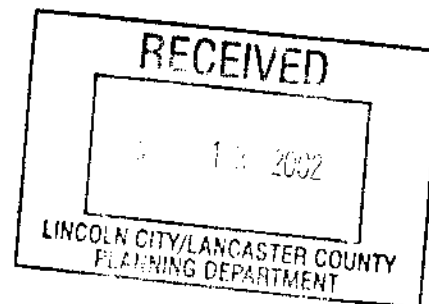
Harry





CENTURY

SALES AND MANAGEMENT CO.



May 10, 2002
Director of Planning
City of Lincoln
555 South 10th
Lincoln, NE 68508

RE: Request for extension of the time for sidewalk installation and tree planting on public right of way for Union Pacific 3rd Addition, LLCN

Director of Planning:

As the owner of Lot 2, Union Pacific 3rd Addition, Lincoln, Lancaster County, NE. I would like to resubmit a request for an extension for the installation of public sidewalks and the planting of trees on the public right of way. I had previously made this request in late 2000. The Planning Commission acted favorably on our request subject to the submission of a new street tree plan and revised sureties. (Miscellaneous request No. 00009). Since that time, the changing economy has caused us to further delay any plans on developing this ground and I have purchased the other half interest in the ground from Mr. Paul Andringa.

At this time, I would like to resubmit my request to delay the required installation of sidewalks and street trees until the later part of 2005. If this request is granted, I will submit bonds as recalculated by the planning department in the amount of \$6500 for sidewalks and \$2420 for street trees. The following are reasons for asking for this time extension:


1. I am not prepared to begin construction of the property any time soon and am presently offering the property for sale.
2. Construction on the property will likely require some grade changes on portions of the lot and general construction and grading will damage or destroy much of any sidewalk and possibly trees that would be installed or planted at this time.
3. We continue to have areas where trucks are jumping the curb and driving up on the city right of way areas as they maneuver to back into the drives to the north and east of this property. This also would likely destroy portions of any sidewalks to be installed. Again, when the property is built upon, drives may be arranged to better accommodate these trucks. Also, some hotel properties in the area have placed large rocks adjacent to the curb areas to keep trucks off the city right of way area and to stop the tearing up of lawn and walkways.

Again, this solution is better addressed during construction of a future building.

At this time, I would request that appropriate action be taken to extend the time for installation of the sidewalks and trees. I believe that various related City Departments will continue to be supportive of our request. Thank you again for hearing my request. Hopefully, the tree plans previously submitted along with the proposed and conditional surety for the above amounts will allow for the approval of this request.

Thanks.

Sincerely,



John Watson

cc:

Nina Vejnovich

Law Department, City of Lincoln

Lincoln



Nebraska's Capital City

Mr. John Watson
c/o Century Sales and Management Company
1919 South 40th Street - Suite 206
Lincoln, NE 68506

March 29, 2001

RE: Miscellaneous #00009 - Time extension for the completion of improvements -
Union Pacific 3rd Addition

Dear Mr. Watson:

Your request can be scheduled on the City Council agenda once you provide new sureties to guarantee the installation of improvements. Public Works has revised their surety amount since we last spoke - they require \$6,500.00 to guarantee sidewalk construction on your lot alone. The increase results from recent rises in construction costs. The revised street tree surety is \$2,420.00. For the purpose of scheduling your request on the City Council agenda, we will need a street tree surety of \$2,420.00 and a \$6,500.00 sidewalk surety (whether in the form of a CD, bond or escrow).

As we discussed, Crawford should contact Harry Kroos in Public Works' Engineering Services Department (441-7711) about getting the sidewalk inspected and released on the Holiday Inn lot. If there are no street trees in front of that lot, he should contact Steve Schwab in Parks & Recreation (441-7035) about where the two required Shade Master Locusts should be located. If the trees are in place, he should contact Steve Nosal (441-8267) about arranging an inspection.

Please give me a call at 441-7620 if you have any questions.

Sincerely,

Jason Reynolds
Planner

enclosures: Certificates of Deposit
Union Pacific 3rd Addition survey record

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